

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	1

MR. SPEAKER:

Your Committee on **Environmental Affairs**, to which was referred House Bill 1812, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, line 14, after "system" delete "." and insert "(or an
- 2 **equivalent rating, such as a Two Globes rating under the Green**
- 3 **Building Initiative's Green Globes rating system)."**
- 4 Page 2, line 6, after "system" delete "." and insert "(or an
- 5 **equivalent rating, such as a Two Globes rating under the Green**
- 6 **Building Initiative's Green Globes rating system)."**
- 7 Page 2, delete lines 7 through 14.
- 8 Page 2, line 27, after "system" delete "." and insert "(or an
- 9 **equivalent rating, such as a Two Globes rating under the Green**
- 10 **Building Initiative's Green Globes rating system)."**
- 11 Page 2, line 34, after "system" delete "." and insert "(or an
- 12 **equivalent rating, such as a Two Globes rating under the Green**
- 13 **Building Initiative's Green Globes rating system)."**
- 14 Page 3, between lines 1 and 2, begin a new paragraph and insert:
- 15 "SECTION 4. IC 6-1.1-12-36, AS AMENDED BY P.L.214-2005,
- 16 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2007]: Sec. 36. (a) A person who receives a deduction provided under section 26, 29, 33, 34, 34.5, ~~or 38~~, **or 44** of this chapter for a particular year and who remains eligible for the deduction for the following year is not required to file a statement to apply for the deduction for the following year.

(b) A person who receives a deduction provided under section 26, 29, 33, 34, 34.5, ~~or 38~~, **or 44** of this chapter for a particular year and who becomes ineligible for the deduction for the following year shall notify the auditor of the county in which the real property or mobile home for which the person received the deduction is located of the person's ineligibility before March 31 of the year for which the person becomes ineligible.

(c) The auditor of each county shall, in a particular year, apply a deduction provided under section 26, 29, 33, 34, 34.5, ~~or 38~~, **or 44** of this chapter to each person who received the deduction in the preceding year unless the auditor determines that the person is no longer eligible for the deduction.

SECTION 5. IC 6-1.1-12-44 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 44. (a) As used in this section, "LEED silver rating" means the silver rating awarded under the Leadership in Energy and Environmental Design rating systems developed for newly constructed and rehabilitated buildings by the U.S. Green Building Council.**

(b) As used in this section, "office" means the office of energy and defense development.

(c) As used in this section, "qualified real property" means a newly constructed building or a rehabilitated building that is determined by the office to meet the LEED silver rating (or an equivalent rating, such as a Two Globes rating under the Green Building Initiative's Green Globes rating system).

(d) An ordinance may be adopted by a county fiscal body to provide that a deduction applies to the assessed value of qualified real property located in the county. An ordinance adopted under this section must specify the amount of the deduction that may be applied to the assessed value of qualified real property located in the county for the appropriate year of assessment. An ordinance adopted under this subsection applies to the assessment year

1 beginning after December 31 of the year in which the ordinance is
2 adopted.

3 (e) If an ordinance has not been adopted by the fiscal body of a
4 county under subsection (d), the fiscal body of a municipality in the
5 county may adopt an ordinance to provide that a deduction applies
6 to the assessed value of qualified real property located in the
7 municipality. An ordinance adopted under this section must specify
8 the amount of the deduction that may be applied to the assessed
9 value of qualified real property located in the municipality for the
10 appropriate year of assessment. An ordinance adopted under this
11 subsection applies to the assessment year beginning after
12 December 31 of the year in which the ordinance is adopted.

13 (f) Except as provided in section 36 of this chapter, a person who
14 desires to claim the deduction provided by this section must file a
15 certified statement in duplicate, on forms prescribed by the
16 department of local government finance, and a copy of the
17 certificate of approval issued to the property owner under
18 subsection (g) with the auditor of the county in which the property
19 for which the deduction is claimed is subject to assessment. The
20 person must file the statement between March 1 and June 11,
21 inclusive, of the assessment year. The person must file the
22 statement in each year for which the person desires to obtain the
23 deduction. The statement may be filed in person or by mail. If
24 mailed, the mailing must be postmarked on or before the last day
25 for filing. On verification of the statement by the assessor of the
26 township in which the property for which the deduction is claimed
27 is subject to assessment, the county auditor shall allow the
28 deduction.

29 (g) The office, upon application by a property owner, shall
30 determine whether a newly constructed or rehabilitated building
31 qualifies for a deduction provided by this section. A property
32 owner must submit to the office proof that the building meets the
33 appropriate LEED silver rating (or an equivalent rating, such as
34 a Two Globes rating under the Green Building Initiative's Green
35 Globes rating system) and any other information that the office
36 needs to approve or deny the application. If the office determines
37 that a building qualifies for a deduction, the office shall approve
38 the property owner's application and provide a certificate of

1 approval to the property owner. The office shall prescribe the form
2 and manner of the approval process required by this subsection.

3 (h) If the office receives an application for certification before
4 May 11 of the assessment year, the office shall determine whether
5 the building qualifies for a deduction before June 11 of the
6 assessment year. If the office receives an application for
7 certification before May 11 of the assessment year and fails to
8 make a determination under this subsection before June 11 of the
9 assessment year, the application is considered approved.

10 (i) A denial of a deduction claimed under this section may be
11 appealed as provided in IC 6-1.1-15. The appeal is limited to a
12 review of a determination made by the township assessor, county
13 property tax assessment board of appeals, or department of local
14 government finance."

15 Page 3, line 15, after "system" delete "." and insert "(or an
16 equivalent rating, such as a Two Globes rating under the Green
17 Building Initiative's Green Globes rating system).".

18 Page 3, line 22, after "system" delete "." and insert "(or an
19 equivalent rating, such as a Two Globes rating under the Green
20 Building Initiative's Green Globes rating system).".

21 Page 3, delete lines 23 through 42.

22 Page 4, delete lines 1 through 24, begin a new paragraph and insert:

23 "SECTION 7. [EFFECTIVE JULY 1, 2007] (a) The office of
24 energy and defense development may adopt rules under IC 4-22-2
25 to implement IC 6-1.1-12-44, as added by this act.

26 (b) This SECTION expires January 1, 2010.

27 SECTION 8. [EFFECTIVE JULY 1, 2007] (a) The Indiana
28 economic development corporation may adopt rules granting
29 priority to economic development projects that include buildings
30 that meet or surpass the standards of the leadership in energy and
31 environmental design ratings systems developed by the U.S. Green

- 1 **Building Council or the Green Building Initiative.**
- 2 **(b) This SECTION expires January 1, 2010."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1812 as introduced.)

and when so amended that said bill do pass.

Representative Dvorak